



Alan C. Lloyd, Ph.D.
Agency Secretary
Cal/EPA



Department of Toxic Substances Control

700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721



Arnold Schwarzenegger
Governor

June 21, 2005

CERTIFIED MAIL

Ms. Ellen Raber
Department Head
Environmental Protection Department
Lawrence Livermore National Laboratory
7000 East Avenue
Livermore, California 94550

Dear Ms. Raber:

The Department of Toxic Substances Control (DTSC) has received and reviewed your submittals dated January 14, and April 13, 2005, in response to the three remaining Class 1 violations in the 2004 Compliance Evaluation Inspection (CEI) Report. The following are DTSC's comments.

Violation 3, Certifying Prohibited Waste for Land Disposal without Meeting Treatment Standards and Violation 4, Failure to Comply With Waste Analysis Plan

No further submittal is required regarding the above violations. LLNL's January 14 and April 13, 2005 submittals have provided DTSC with: responses pertaining to the timely and accurate hazardous waste characterization, interpretation and validation of analytical results; the steps being taken to prevent the recurrence of similar incidents in the future; and documentation and information that the waste (W209971) sent to Envirocare was treated to meet the LDR treatment standards prior to land disposal.

Violation 5, Storage Greater Than One Year

No further submittal is required regarding this violation. Based on LLNL's submittal dated January 14, 2005, LLNL will be using a 10-month cut-off point to allow time to notify DTSC for continued storage of mixed waste meeting land disposal restrictions standards, at least 30 days before reaching the one-year allowable limit in their Hazardous Waste Facility Permit.

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Sorting Table

In your January 14, 2005 letter, you requested that the Sorting Table violation be rescinded or re-classified to a minor violation. DTSC is granting your request to re-classify the violation. Additional examination of the use of the sorting table during the permit modification process has shown that the violation is more appropriately classified as the unauthorized use of waste handling equipment. Given the manner in which the table was used, the violation is reclassified as a minor violation.

In the future, please note that DTSC will consider the introduction of new types of waste handling equipment to require class 2 modifications pursuant to the California Code of Regulations, title 22, division 4.5., chapter 20, Appendix I (Item F.6.).

No further submittal is required for this violation. DTSC approved the use of the Sorting Table on December 16, 2004.

Return to Compliance

LLNL has complied with all the required Corrective Actions in the 2004 CEI report. DTSC appreciates the efforts you have made to comply with California's hazardous waste laws and regulations.

If you have any questions regarding this letter, please call me at (510) 540-3869.

Sincerely,

Original signed by Luz Castillo

Luz Castillo
Senior Hazardous Substance Scientist
Statewide Compliance Division

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cc: Mr. Mohinder Sandhu, P.E., Chief
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